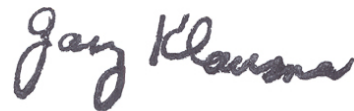


1 To date, counsel for Defendants has failed to file its brief regarding federal subject matter
2 jurisdiction.

3 In light of the fact that the FDIC is no longer a party and there does not appear to be any other
4 basis for this Court to exercise subject matter jurisdiction, the Court finds that it lacks subject matter
5 jurisdiction over this action.

6 Thus, the above-entitled case is ordered **remanded** to Superior Court for all further proceedings
7 for lack of subject matter jurisdiction.

8
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10 DATED: June 3, 2009



R. GARY KLAUSNER
UNITED STATES DISTRICT JUDGE